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PATENT

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Signature

Applicant : Adam Kolawa, et al.
Application No. : 09/885,307
Filed : June 20, 2001
Title : ACOUSTICAL PREFERENCE TUNER
Grp./Div. : 2644
Examiner : Andrew R. Graham
Docket No. : 41182/JEC/P396

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INFORMATION DISCLOSURE STATEMENT
37 CFR § 1.97(b)

Commissioner for Patents
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Post Office Box 7068
Pasadena, CA 91109-7068
June 29, 2004

Commissioner:

In compliance with the duty of disclosure under 37 CFR §§ 1.56, 1.97 and 1.98, and in accordance with the provisions in the Manual of Patent Examining Procedure §§ 609 and 707.05(b), enclosed is FORM PTO/SB/08A/B listing the references that are known to applicant. Copies of each of the listed references are enclosed. This filing is timely because it is made during one of the periods described in 37 CFR § 1.97(b). To the best of undersigned's knowledge, this Statement is being filed before the mailing date of a first Office action on the merits.

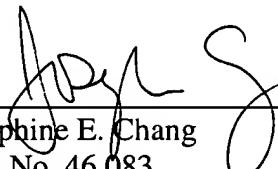
It is respectfully requested that the listed references be considered in the examination of this application and identified on the list of references cited on the patent issuing for this application. Applicant also requests that an initialed copy of FORM PTO/SB/08A/B be entered

Application No. 09/885,307

in the application file and returned to applicant with the next communication from the Office in accordance with MPEP § 609.

Any deficiency of fees for this transaction should be charged or credited to Deposit Account No. 03-1728. Please show our docket number with any Deposit Account transaction.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By 

Josephine E. Chang
Reg. No. 46,083
626/795-9900

JEC/daa

Enclosures: PTO/SB/08A/B, w/references

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<p>FORM PTO/SB/08A/B (10-01) Substitute for PTO-1449A/B</p> <p>INFORMATION DISCLOSURE</p> <p>STATEMENT BY APPLICANT</p> <p>(use as many sheets as necessary)</p>	Attorney Docket Number	41182/JEC/P396
	Application Number	09/885,307
	Filing Date	June 20, 2001
	Applicant(s)	Adam Kolawa et al.
	Group Art Unit	2644
	Examiner Name	Andrew R. Graham

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U.S. PATENT DOCUMENTS				
EXAMINER INITIALS	Cite No. ¹	DOCUMENT NUMBER Number - Kind Code ² (If Known)	PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE
		4,807,169	02-21-1989	Overbeck
		4,996,642	02-26-1991	Hey
		5,233,520	08-03-1993	Kretsch et al.
		5,583,763	12-10-1996	Atcheson et al.
		5,704,017	12-30-1997	Heckerman et al.
		5,724,567	03-03-1998	Rose et al.
		5,749,081	05-05-1998	Whiteis
		5,832,446	11-03-1998	Neuhaus
		5,884,282	03-16-1999	Robinson
		5,899,502	05-04-1999	Del Giorno
		5,918,223	06-29-1999	Blum et al.
		5,960,440	09-28-1999	Brenner et al.
		5,963,948	10-05-1999	Shilcrat
		5,978,766	11-02-1999	Luciw
		5,979,757	11-09-1999	Tracy et al.
		5,999,975	12-07-1999	Kittaka et al.
		6,012,051	01-04-2000	Sammon, Jr., et al.
		6,018,738	01-25-2000	Bresse et al.
		6,020,883	02-01-2000	Herz et al.
		6,046,021	04-04-2000	Bochner
		6,112,186	08-29-2000	Bergh et al.
		6,236,974 B1	05-22-2001	Kolawa et al.
		6,236,990 B1	05-22-2001	Geller et al.

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Substitute for PTO-1449A/B

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EXAMINER INITIALS	Cite No. ¹	DOCUMENT NUMBER Number - Kind Code ² (If Known)	PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE
		6,370,513 B1	04-09-2002	Kolawa et al. RECEIVED
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FOREIGN PATENT DOCUMENTS

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EXAMINER INITIALS	Cite No. ¹	Foreign Patent Document Country Code ³ - Number ⁴ - Kind Code ⁵ (If Known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁶ (<input checked="" type="checkbox"/>)
		EP 0 751 471 A1	01-02-1997	Lashkarl	
		JP 8 063 455	03-08-1996	Miura (w/abstract)	
		JP 8 064 355	03-08-1996	Okada (w/abstract)	

OTHER DOCUMENTS

EXAMINER INITIALS	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶ (<input checked="" type="checkbox"/>)
		A Steady Stream of New Applications...Institutional Distribution; v. 19; November 1983, 9 pages.	
		Co-pending U.S. Patent Application No. 09/556,051; filed April 21, 2000, entitled METHOD AND APPARATUS FOR AUTOMATED SELECTION ORGANIZATION AND RECOMMENDATION OF ITEMS BASED ON USER PREFERENCE TOPOGRAPHY, 84 pages.	
		Co-pending U.S. Patent Application No. 09/792,343; filed February 23, 2001, entitled SYSTEM AND METHOD FOR CREATING AND SUBMITTING ELECTRONIC SHOPPING LISTS, 101 pages.	
		Co-pending U.S. Patent Application No. 09/885,308; filed June 20, 2002, entitled SYSTEM AND METHOD FOR AUTOMATED RECIPE SELECTION AND SHOPPING LIST CREATION	
		Co-pending U.S. Patent Application No. 10/278,636; filed October 23, 2002, entitled: AUTOMATED MUSIC PROFILING AND RECOMMENDATION, 9 pages.	
		Co-pending U.S. Patent Application No. 10/668,926; filed September 23, 2003, entitled AUDIO FINGERPRINTING SYSTEM AND METHOD 44 pages.	

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OTHER DOCUMENTS

EXAMINER INITIALS	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
		Internet Papers: http://www.iVillage.com ; iVillage.com The Women's Network -- busy women sharing solutions and advice (downloaded May 22, 2001, 11:36 AM); 6 pp.
		Internet Papers: http://www.my-meals.com ; Meals.com - Recipes, Cooking and Meal Planning; meals.com meal planning made easy; (downloaded May 21, 2001, 5:42 PM); 9 pp.
		Internet Papers: http://www.foodfit.com ; FoodFit.com: Food, Nutritional Recipes,...efs, Healthy Cooking and Fitness Advice; FoodFit.com; (downloaded May 22, 2001, 9:40 AM); 7 pp.
		Internet Papers: https://www.mealsforyou.com ; Meals For You; (downloaded May 21, 2001, 5:37 PM); 4 pp.
		Internet Papers: http://www.ourhouse.com ; OurHouse.com: Everything Your House Desires; Tavolo by OurHouse.com: (downloaded May 21, 2001, 6:03PM); 7 pp.
		Internet Papers: http://www.recipezaar.com ; Recipezaar - a recipe food cooking & nutritional info site - Recipezaar; (downloaded May 22, 2001, 10:06 AM); 7 pp.
		Internet Papers: http://www.ucook.com ; The Ultimate Cookbook; (downloaded May 22, 2001, 10:15 AM); 6 pp.
		UNKLESBAY et al.; An automated system for planning menus for the elderly in title VII nutrition programs; Food Technology 1978, 32 (8) 80-83, 1 page.

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